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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Craig C. Mello et al.

U.S. Serial No.: 10/645,735

Filed: August 20, 2003

For: *RNA Interference Pathway Genes as Tools for Genetic Interference*

Attorney Docket No.: UMY-052DV2

Group Art Unit: 2855

Examiner: Teresa E. Strzelecka

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

"Express Mail" mailing label number EV 355389141 USDeposit April 1, 2004

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Signature

Debra J. Milasincic, Esq.

Please Print Name of Person Signing

NOTIFICATION OF ERRONEOUS ASSERTION OF SMALL ENTITY STATUS

Dear Sir:

At the time of filing, the above-identified patent application erroneously claimed small entity status. Applicants hereby submit that this error occurred without any fraudulent intent and through error. Pursuant to 37 C.F.R. 1.28(c), Applicants hereby authorize that Deposit Order Account No. 12-0080 be charged in the amount \$683.00 (based on the 2002/2003 fee schedule) which represents the difference between the amount previously charged to Deposit Order Account No. 12-0080 (\$683.00) on August 20, 2003 and the filing fee based on large entity status.

It is respectfully requested that the above-identified patent application be deemed a large entity.

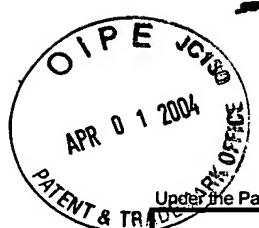
Adjustment date: 04/06/2004 SLUANG1  
08/26/2003 KZEWIDIE 00000002 120080 10645735  
01 FC:2001 375.00 CR  
02 FC:2201 168.00 CR  
03 FC:2203 140.00 CR

Respectfully submitted,  
LAHIVE & COCKFIELD, LLP

Dated: April 1, 2004  
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01 FC:1001 770.00 DA  
02 FC:1201 344.00 DA  
03 FC:1203 290.00 DA



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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/645735-Conf. #9634	
	Filing Date	August 20, 2003	
	First Named Inventor	Craig C. MELLO	
	Art Unit	2855	
	Examiner Name	Teresa E. Strzelecka	
Total Number of Pages in This Submission	1	Attorney Docket Number	UMY-052DV2

### ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Notification of Erroneous Assertion of Small Entity Status; and A pre-paid acknowledgment postcard.
Remarks		

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	LAHIVE & COCKFIELD, LLP Debra J. Milasincic - 46,931
Signature	
Date	April 1, 2004

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV 355389141 US, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

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(Debra J. Milasincic)